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RCE

Attorney Docket 017227-0195

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zhongyi LI, et al.
Title: REGULATION OF GENE EXPRESSION IN PLANTS
Appl. No.: 09/508,377
Appl. Filing Date: 06/09/2000
Examiner: S. Baum
Art Unit: 1638

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

☒ Please enter and consider the Amendment and Reply previously filed on November 3, 2003.

b. Enclosed are:

☒ Submission Under 37 C.F.R. § 1.114(c).

☒ Declaration Under 37 C.F.R. § 1.132.

☒ Information Disclosure Statement.

☒ Form PTO-SB/08 with a copy of one (1) listed reference.

04/01/2004 EAREGAY1 00000064 09508377

01 FC:1801
02 FC:1251

770.00 OP
110.00 OP

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	20	- 25	= 0	x \$18.00	= \$0.00
Independents	1	- 4	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

[X] Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

[X] Extension for response filed within the first month:	\$110.00	1	\$110.00
[] Extension for response filed within the second month:	\$420.00		\$0.00
[] Extension for response filed within the third month:	\$950.00		\$0.00
[] Extension for response filed within the fourth month:	\$1,480.00		\$0.00
[] Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:			\$110.00
EXTENSION FEE ALREADY PAID:			- \$0.00
EXTENSION FEE TOTAL			\$110.00
CLAIMS AND EXTENSION FEE TOTAL:			\$880.00
[] Small Entity Fees Apply (subtract ½ of above):			\$0.00
[] Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$880.00

[] Please charge Deposit Account No. 19-0741 in the amount of \$0.00. A duplicate copy of this transmittal is enclosed.

[X] A check in the amount of \$880.00 to cover the RCE filing fee and one month extension of time is enclosed.

[X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Application No. 09/508,377

Attorney Docket 017227-0195

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date March 31, 2004

By 

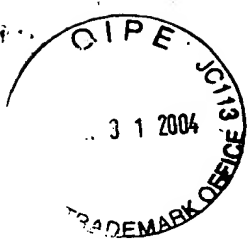
FOLEY & LARDNER LLP

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Stephen A. Bent
Attorney for Applicant
Registration No. 29,768



Patent
Atty. Dkt. No. 017227-0195

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Zhongyi LI, et al.

Title: REGULATION OF GENE EXPRESSION IN PLANTS

Appl. No.: 09/508,377

Filing Date: June 9, 2000

Examiner: Stuart Baum

Art Unit: 1638

SUBMISSION UNDER 37 C.F.R. § 1.114 (c)

Box RCE

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

This paper responds to the Examiner Telephone Interview of February 10, 2004; Notice of Appeal filed December 31, 2003; Advisory Action of December 17, 2003; Applicants' complete Response to the Final Office Action filed November 3, 2003; and the Final Office Action mailed July 2, 2003.

It is timely, because it is filed with a Request for Continued Examination, a Petition for Extension of Time, and the Required Fees.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims begin on page 5 of this document

Remarks begin on page 8 of this document.